

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE BAY AREA  
ROOFERS HEALTH & WELFARE TRUST  
FUND, et al.,

No. CV-12-2374 MMC

**JUDGMENT IN A CIVIL CASE**

Plaintiffs,

v.

NORTH BAY WATERPROOFING, INC.,

Defendant.

**() Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**(X) Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS SO ORDERED AND ADJUDGED**

Accordingly, the Court having read and considered plaintiffs' motion for default judgment and the Recommendation, the Recommendation is hereby ADOPTED, and the motion for default judgment is hereby GRANTED in part and DENIED in part as follows:

1. To the extent the motion seeks judgment in plaintiffs' favor on their claim for enforcement of the Working Agreement Between Local No. 40 of the United Union of Roofers, Waterproofers and Allied Workers, AFL-CIO and Associated Roofing Contractors of the Bay Area Counties, Inc., the motion is GRANTED, and defendant shall, within twenty-one days of the date of this order, allow plaintiffs' auditors to examine during business hours defendant's time books and payroll records, covering the period beginning April 1, 2011 to the date of this order, for employees covered by the Local 40 collective bargaining agreement.

1           2. To the extent the motion seeks a judgment requiring defendant to comply with any  
2 obligations it may have under the Working Agreement Between Local No. 81 of the United  
3 Union of Roofers, Waterproofers and Allied Workers, AFL-CIO and Associated Roofing  
4 Contractors of the Bay Area Counties, Inc., the motion is DENIED, without prejudice to  
5 plaintiffs' seeking such relief in a separate action.

6           3. The Court will retain jurisdiction over the above-titled action for purposes of  
7 enforcing the judgment and amending the judgment to include, following the audit, any sums  
8 determined by the Court to be due and owing.

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11 Dated: October 1, 2013

Richard W. Wieking, Clerk

*Tracy Lucero*

By: Tracy Lucero  
Deputy Clerk